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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,236	02/13/2002	Joseph A. Tabe		4447

7590 09/26/2003  
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EXAMINER

GOINS, DAVETTA WOODS

ART UNIT PAPER NUMBER

2632

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Qb

# Office Action Summary

Application No.

10/073,236

Applicant(s)

TABE, JOSEPH A.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Objections***

1. Claim 1 is objected to because of the following informalities: The bulletins beside each claimed limitation should be removed and a semicolon should be placed at the end of each claimed limitation (not a comma or period). Appropriate correction is required.
2. In claim 1, line 4, the claimed “to enabling” should read as “to an audio signal”.
3. In claim 1, line 6, the claimed “said conditions” should read as “said mechanical condition”.
4. In claim 1, lines 8 and 12, the claimed “responsive for” should read as “responsible for”.
5. In claim 1, line 23, the claimed “said switch” should read as “said switch terminal”.
6. In claim 9, line 5, the claimed “mirror brackets” should read as “mirror bracket”.
7. Claim 10 describes several steps and therefore the beginning of each step should follow in the same format as in the preamble. For example, the first bulletin should read as “activating a switch....”, the second bulletin should read “providing current pulses from....”, and so on.
8. In claim 10, lines 11 and 12, the claimed “responsive to enabling” should read as “responsible for enabling”.
9. In claim 10, line 16, the claimed “safety steps” should read as “safety step”.

***Claim Rejections - 35 USC § 112***

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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11. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Applicant lists, beside a bulletin, various components that are part of the invention, but does not tie in the necessity of each component and does not point out specifically what the invention is.

The listed prior art below disclose various alarm features for vehicles that include a voice synthesizer that will output a predetermined message based on a monitored mechanical and/or electrical feature within the vehicle. For example, both Nojiri et al. (US Pat. 4,438,422) and Kawasaki (US Pat. 4,426,691) disclose vehicle warning systems in which the driver is warned of the condition of the ignition, vehicle lamps, fuel, speed, or parking brake (see figures of both references). Each include a switch (such as Applicant's claimed switch terminal) that will monitor the various mechanical/electrical conditions and the synthesizers (logic switch/central processing unit) will determine (through it's database), which voice signal will be output. Kawasaki also discloses an interface with his audio reproducing means to allow the user to record any message (database/audio reproducing means 6). Durley et al. (US Pat. 5,493,269) discloses a vehicular safety sensor for a school bus, the bus including sensors around the bus to detect nearby pedestrians. Upon the vehicle determining that the bus's door has been open sensors are used to detect a pedestrian and a digital voice will be actuated through a speaker to warn the driver as well as the pedestrians (col. 39, lines 16-67; col. 40, lines 1-46).

The claimed voltage suppressor and amplifier would have been obvious to use, by anyone skilled in the art, to ensure that the system will be protected from high voltage levels that can

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occur when using large amounts of electrical components and ensure that the system will audibly output voice signals to be heard by the driver.

It's unclear as to whether the second claimed "processor", in line 35 of claim 1, is different from the claimed "processing unit" in line 10.

12. Claim 1 recites the limitation "said conditions" in line 6. There is insufficient antecedent basis for this limitation in the claim.

13. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Zwern (US Pat. 5,245,694) and Kakinami et al. (US Pat. 6,476,730 B2) which disclose vehicle systems that monitor a condition of the vehicle and output a voice signal in response to that monitored condition.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 703-306-2761. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 703-308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-7666.

A handwritten signature in cursive script, appearing to read "Davetta W. Goins".

D.W.G

September 16, 2003

Davetta W. Goins

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